

BIENNIAL MESSAGE

OF

SAMUEL MERRILL,

GOVERNOR OF THE STATE OF IOWA,

TO THE

THIRTEENTH GENERAL ASSEMBLY,

JANUARY, 1870.

DES MOINES:

F. M. MILLS, STATE PRINTER,
1870.



Digitized by the Internet Archive
in 2017 with funding from

This project is made possible by a grant from the Institute of Museum and Library Services as administered by the Pennsylvania Department of Education through the Office of Commonwealth Libraries

GOVERNOR'S MESSAGE.

Gentlemen of the Senate and House of Representatives :

In accordance with the requirements of the constitution, it becomes my duty to present for your consideration a succinct account of the condition of the State, and of the institutions under its care, with such recommendations and suggestions as may seem to be called for.

FINANCES.

The condition of the finances is fully shown in the report of the Auditor of State, which is before you, and in that of the Treasurer of State, herewith submitted.

During the fiscal term ending October 31st, 1869, the period covered by those reports, there was received into the treasury, on account of the general revenue, inclusive of \$82,114.48 on hand November 1st, 1867, the sum of \$1,839,668.12; the expenditures amounted to \$1,553,507.96, leaving a balance in the treasury of \$286,160.16. The above mentioned reports show the sources of this revenue, and the objects of these expenditures. This balance, it is proper to state, includes the sum of \$9,519.63, paid out on account of losses by fire at the Penitentiary, for which the Treasurer holds the Warden's receipt. This amount deducted, there is an actual cash balance of \$276,650.53 in the treasury. This large amount is partly due to the payment by the general government of the sum of \$229,827.39 on account of claims for expenditures by the State during the war, and the further sum of \$18,117 to reimburse outlay for the defense of the northern border of the State, subsequent to the massacre at Spirit Lake in 1857.

This balance is the largest ever reported at the close of any fiscal term, and indicates a condition of financial soundness which, it is believed, few of the States enjoy. There should be, at all times, a sufficient surplus in the treasury with which to cash all warrants promptly on demand. Such has been the case in the main with us for several years, and during the term just closed the State Treasurer paid every warrant on presentation; and there are now no outstanding warrants drawing interest.

The receipts during the fiscal term on which we have just entered, including balance of general revenue in the treasury November 1st, 1869, are estimated at \$2,308,883.57, and the expenditures at \$1,107,955.20, to which sum must be added such special appropriations as the General Assembly, in its wisdom, may see fit to make.

The long experience of the Auditor of State, both as county and State official, and the faithful and acceptable services of that officer and of the Treasurer of State, in their respective departments, entitle the suggestions in their reports, on matters of vast importance to us, to your favorable and careful consideration.

INDEBTEDNESS.

The bonds issued in 1858 for \$200,000 ceased to draw interest on the first of January, 1868. Prior to that time, as stated by my predecessor in his message to the last General Assembly, the amount of \$114,000 had been paid. The remainder of these bonds have since been redeemed. Our existing indebtedness, therefore, consists of the war and defense bonds of May, 1861, amounting to \$300,000, and drawing seven per cent. interest. These bonds are not due till 1881. I would recommend, however, that the Treasurer of State be authorized to use surplus funds in the treasury for the purchase and cancellation of these bonds, whenever they may be obtained at par, and when, in the opinion of that officer and of the Auditor of State, the condition of the finances will allow it.

THE CENSUS.

The Census of 1869, being the eleventh enumeration of its inhabitants made under the authority of the State of Iowa, shows a continuous increase in the population and resources of the State. The report of this Census, carefully prepared by the Secretary of State, is before you. It will be found to contain a vast amount of information, in addition to that comprehended in the Census proper. Two counties and one township failed to report; for these I have adopted the figures of the Census of 1867, although a closer approximation to accuracy would be attained by the substitution of higher figures.

The total population of the State, according to this report, with the additions mentioned, is 1,042,807, an increase during the two years since the last previous enumeration of 140,767, or 15.60 per cent—an average of 7.80 per cent per annum: about two and a half times the average annual increase of the United States during each decennial period. Of this population 5,345 were persons of color, an increase of only 630 or 13.30 per cent. The smallness of this gain—it being less, both absolutely and relatively, than is reported in any previous biennial period since the first enumeration of this class of population—tends to demonstrate the correctness of the views, long entertained by leading statesmen, that, with the abolition of slavery, this race would incline to settle in warmer climates.

The population of the State to the square mile, in 1847, was 2.1; in 1850, 3.4; in 1856, 9.4; in 1860, 12.2; in 1865, 13.7; in 1867, 16.4; and in 1869, 18.9.

Not only is the increase of our population satisfactory, but its permanent character is demonstrated in the greater proportionate increase of dwelling-houses. In 1867 there were 155,558 of these, or 100 to every 580 souls, now there are 183,921, or 100 to every 566 souls.

The returns of agricultural labor continue to show steady and vigorous development of this prime source of our wealth. There were produced in the State, during the year 1866, 14,635,529 bushels of wheat, 56,928,938 of corn, and 17,552,064 of all other grains; and in 1868, 17,963,555 bushels of wheat, 76,507,575 bushels of corn, and 20,237,426 bushels of all other grains. Other

articles of produce show similar advancement. But in nothing are the natural resources of the State being developed more rapidly than in the amount of coal mined. In 1864, 66,663 tons of coal were taken out; in 1866, 99,320, an advance of nearly 50 per cent.; and in 1868, 241,453 tons, an increase of over 143 per cent. above the yield of 1866. Recent discoveries of extensive coal-fields in our State are of peculiar interest and value at this time, when the vast prairie lands of our north-western counties are being rapidly filled with settlers.

PUBLIC LANDS.

The report of the Register of the State Land Office, herewith submitted, presents a very full review of the condition of the various land-grants, giving in detail the lands located with special swamp-land indemnity certificates, and also those certified under several of the railroad grants.

The extent of the various grants made to the State is as follows :

For the use of common schools—

16th section grant, acres.....	1,013,614.21	
500,000 acre grant, acres.....	530,395.96—	1,544,010 17

For the use of the University—

University grant, acres.....	45,928 84	
Saline grant, acres.....	46,101.53—	92.030.47

For the Agl. College and Farm—

Agricultural College Grant, acres.	204,309.30	
Five-section grant, acres	3,200.00—	207,509.30

Total for educational purposes, acres.	1,843,549.94
--	--------------

Swamp-Land grant—

Lands in place, acres.....	814,878.71	
Indemnity, acres.	318,844.88—	1,133,723.59

Grants for internal improvements—

Des Moines River, including that for railroad to Minnesota, acres	833,079.90
Burlington & Missouri River Rail- road, acres.....	287,095.34
Mississippi & Missouri, [now Chi- cago Rock Island & Pacific] R. R	476,674.36
Iowa Central [now Cedar Rapids & Missouri] Railroad.....	775,454.19
Dubuque & Pacific [now Iowa Falls & Sioux City] Railroad.....	1,226,538.32
McGregor Western [now McGregor & Missouri] Railroad.....	372,800.00
Sioux City & St. Paul Railroad...	328,030.00—4,299,672.11
<hr/>	
Aggregate of all grants, exclusive of indemnity school lands, acres.....	7,276,945.64

In addition to this amount, many thousands of acres more will probably be patented to the State on account of the swamp-land grant, and some perhaps in lieu of the sixteenth section disposed of, prior to the grant of that section by Congress. Besides the lands given to the State for these various objects, the general government has granted land directly to certain railroad companies to aid in building their lines of roads. These grants, in the aggregate, make a gift of magnificent dimensions, and include one-fourth of the territory of the State, and, taken together, comprise an area equal to that of the States of Massachusetts, Rhode Island, and Connecticut.

COMMON SCHOOLS.

The report of the Superintendent of Public Instruction gives a comprehensive view of the workings of our common school system during the last two years. A gratifying progress in the cause of popular education is apparent.

The number of districts (including independent districts) is 1462, an increase of 141 in the biennial period; the number of schools is 7009, an increase of 780; of these schools 221 are graded.

The number of persons between the ages of five and twenty-one is 418,168; the aggregate number attending school is 296,138, or 70.82 per cent of the whole, and the average 178,329, or 42.65 per cent of all. In 1867, there were 372,969 within the school ages, of whom 257,281, or 68.98 per cent. were enrolled as scholars, with an average attendance of 148,620, or 39.85 per cent. The percentage of attendance, both aggregate and average, thus shows a satisfactory increase. I find that in 1857, the last year under the former system of districts, the number enrolled in the schools was only 407 in 1000 of the whole number of children between the prescribed ages; in 1865, it had advanced to 670; in 1867, to nearly 690; and in 1869, to 708, as shown above. In 1865, the average attendance equaled 369 in 1000; in 1867, 398; and in 1869, 426. I find no return of the average in 1857, and am therefore unable to compare it with figures of later years.

The number of teachers employed in 1869, was 11,994; in 1867, 10,343; and in 1857, 2,996. The average compensation of male teachers in 1869 was \$9.24 per week; in 1867, \$8.97; in 1857, \$6.09;—of female teachers in 1869, \$6.79; in 1867, \$6.16; in 1857, \$3.24. In 1869, there were 743,521 days of school taught, an increase since 1867 of 94,841, and since 1857 of 575,245. The average cost of tuition in 1869 was 34 cents; in 1867, 34½c. The amount paid teachers in 1869 was \$1,438,964.04; in 1867, \$1,161,653.13; in 1857 \$198,142.55. The number of school-houses is 6,407, worth \$5,295,364.45; in 1867 there were 5,454, worth \$3,450,978.93; and in 1857, 1,686, worth \$571,063.91. The amount of district tax levied last year for the teachers' fund amounted to \$1,106,040.21, and in 1867 to \$620,341.12; in 1857 \$71,784.58 was raised by "rate-bill and voluntary subscriptions." For all other purposes, the district tax levied last year was \$1,407,872.71; in 1867, \$877,974.69. I have extended this statistical exhibit so as to afford a view of the growth of our school system, and of the increasing interest of the people in it. I have cited the figures of the year 1857, because they were the last under the former educational system of the State, which gave place in the following year to that now in force, and hence furnish a proper basis upon which to estimate the growth of our educational interests. In 1857, there were 195,285 children

within the school ages—a little less than one half the present number, while the population of the State was a little more than half that of to-day; yet the number of scholars then enrolled was less than one-third, that of school-houses about one-fourth, that of teachers and of school days less than one-fourth, those of 1869. The amount paid teachers in 1857 was less than one-seventh, that of the value of the school-houses was about one-ninth, and the amount provided in the districts for the support of teachers less than one-fifteenth, those of the past year.

These figures are not only pleasing, but they demonstrate the gratifying success of the present plan of organization, which, with sundry modifications, has now been in operation over eleven years. Yet satisfactory as these statistics may be, we should sadly err, if we were to imagine that nothing more can be done by us. What we now behold are only the beginnings of a temple of knowledge, whose magnitude and grandeur will be commensurate with the wisdom and munificence of its builders. I recommend, therefore, such legislation as may be found necessary towards supplying defects in our existing educational system and for expanding it, so as to make it more thorough and comprehensive. The recommendations of the Superintendent, whose long experience as an educator, in our own and other States, entitles them to your attentive consideration, will be before you in his report. I would suggest, in view of the vast extent of our State, the importance of the work, and its increasing demands on the time of the State Superintendent, whether it would not be advisable to provide for the selection of one assistant superintendent in each congressional district, whose duties would be indicated by their official designation, and who should be required to hold teachers' institutes in the several counties within their districts. I believe this would provide for a better and more effectual supervision of our schools, both general and local, than we have yet known, and be a means of advancing the standard of both officers and teachers of the schools. Much time and expense, I think, might be economized if our schools could enjoy the benefit of actual, frequent, personal supervision by county and State superintendents. These superintendents should

be practical educators, chosen because of especial qualifications for these responsible positions. Your experience and knowledge of these matters, however, will enable you, with other means of information, to decide and act on all these subjects to the satisfaction of the people.

I would call the attention of the General Assembly to the salary of the Superintendent of Public Instruction. I appointed the present incumbent one year ago, to fill the vacancy occasioned by the death of the lamented Wells, without his solicitation and against his protest, because I believed him possessed of a degree of enthusiasm and love for common schools rarely excelled. He accepted this position with a salary of \$1,500, resigning one worth more than double this amount.

NORMAL SCHOOLS.

The proper education of the youth of our State is a duty paramount to every other. To do this we must have well-qualified teachers. The graduate from the normal school having been educated with special reference to the courses of study and methods in the public schools, will, of necessity, other things being equal, take the precedence over one educated without this previous preparation.

At the present time, so far as I can learn, the demand for well-qualified teachers is far greater than the supply; and the rapid increase of the population of the State multiplies this deficiency. The Normal Department of the State University, which is the only professional school in the State for educating teachers, specially, is altogether insufficient to meet this growing demand. In justice to our best interests we ought at once to widen our normal-school facilities.

In most of the leading States, normal schools, to the number of two or more in each, have been established and receive annual appropriations from their legislatures. The beneficial influence of such schools is no longer questioned; and we may with profit follow their example. I feel confident that the hope of our common schools lies largely in this special preparation of teachers, and

I would therefore urge upon the General Assembly, to do something in this direction. It has occurred to me, that, if my recommendations hereinafter made relative to vacating the "Soldiers' Orphans' Homes" at Glenwood and Cedar Rapids meet your approbation, those new buildings could be fitted up for the purpose of normal instruction.

STATE UNIVERSITY.

During the last session of the General Assembly, the long vacant presidency of the University was filled by the appointment of James Black, D. D., of Washington College, Pennsylvania, a ripe scholar, and a gentleman of acknowledged ability. The wisdom of the selection has been justified by the history of the University since he became connected with it.

Two departments, devoted especially to instruction in the learned professions, have been established within the last two years. The Iowa Law School, a private institution, situated at Des Moines, was in September, 1868, removed to Iowa City, and, being merged in the University, became its law department; the gentlemen who had previously conducted the law school with eminent success being chosen professors of the new department.

In the same month, the Board of Trustees established the medical department, but it was not until the June following that any of the chairs were supplied, and it is only within a few weeks that the last remaining vacancy in the faculty was filled. It is intended to open this department in the fall of 1870.

The preparatory department, so long an offense to many friends of the University, has been discontinued, and its more advanced class merged in the collegiate department, the course of study therein being extended to five years. There has also been a rearrangement of the course of studies, an increase in the list of optional ones, and larger provision made for the study of our own language and its literature.

Altogether, the history of the last two years of this institution has been most cheering to its friends. It is a landable ambition which aspires to the hope that in this fair commonwealth shall be reared an institution, which, enriched by culture, strong in the

sympathies and affectionate pride of the people, and wisely and judiciously managed, shall one day rank with the most famous seats of learning.

The endowment fund of the University is \$212,396.28. This is exclusive of unsold land, which is valued at \$22,049.28. The income of the University, during the two years ending June 30, 1869, was \$60,182.65, inclusive of \$8,287.83 received from the State treasury, and the expenditures \$54,372.22. Many improvements have been made in the buildings and equipments, and considerable accessions to the library; a law library established, and additions made to the geological, botanical, and other collections to the scientific apparatus; for details of which you are respectfully referred to the report of the Board of Trustees.

STATE LIBRARY.

The report of the Librarian shows the present condition of the State Library. The number of volumes therein is 10,961, besides several hundred pamphlets. During the last two years, sixteen hundred and thirty-one volumes have been added to the Library by exchange and donation, and thirty-five have been sent away. The act of the last General Assembly, reviving a law repealed in 1864, giving the Secretary of State authority to dispose of Supreme Court Reports in exchange for books on law and equity, to be selected by the Judges of the Supreme Court, has caused an accession to the law library of 542 volumes of valuable and needed works, and more are yet to be received. From this source we may rely on receiving about one thousand dollars' worth of books per annum. These, with exchanges and donations, will add to the library not far from two thousand volumes during the next two years. Besides, the general library, to which no additions have been made since the removal of the capital from Iowa City except of a few books presented to the State, should be replenished. Yet the library apartments are too small even for the present demands, a great number of books being boxed up and otherwise put away, for want of room. I respectfully urge upon the General Assembly, therefore, the necessity of providing additional shelf-room for the library.

For this purpose, the room now occupied by the Supreme Court might be taken, and other provision be made for the accommodation of that tribunal. I would also recommend the revision of the law on this subject. The present act was passed many years ago, when the number of volumes in the library was quite small, and when one of the State officers could readily attend to it without neglect of his other duties. Now, the proper care of the room and books require the time and attention of one person, who should receive appropriate compensation therefor, and be held responsible for the safe keeping of the property. He should also have charge of the reception and distribution of all books connected with the library under the laws of the State.

ADJUTANT AND QUARTERMASTER-GENERAL'S OFFICE.

The report of the Adjutant-General, and Acting Quartermaster-General gives many interesting facts in relation to the collection, return by companies and individuals, and the present location and distribution of the arms, etc., belonging to the State, which are fully set forth in the tables accompanying the reports, as also the expenses of the Quartermaster's department and for clerks. It appears that he has paid into the State treasury the sum of two thousand and eighty-one dollars and fifteen cents for unserviceable arms, etc., sold. He has also returned to the State treasury the sum of six thousand six hundred and sixty-five dollars and twenty-three cents of the nine thousand five hundred dollars appropriation made at last session for new building, iron furniture, fence, and other improvements in the Adjutant-General's office. The sale of the arms, etc., obviated the necessity, under the law of cleansing and repairing the same, and also the need of another building for their accommodation. His course in this respect met my recommendation and approval. There are now due to the State from the United States, in arms, accoutrements, etc., \$31,425.07.

The returns and estimates for the year 1869 make the number of militia 141,646.

The Adjutant-General issued, under chapter 123 of the Laws of the Eleventh General Assembly, and chapter 8 of the Laws

of the Twelfth General Assembly, being the acts in reference to the gray uniforms for the Second and Third Iowa Infantry, eight hundred and fifty-two certificates, amounting to twelve thousand and sixty four dollars and one cent. The whole appropriation for the "gray suit" was thirteen thousand five hundred dollars. This would leave unexpended one thousand four hundred and thirty-five dollars and ninety-nine cents; but from the Adjutant General's statement I am satisfied that just claims could be filed amounting to more than this balance. I would therefore call the attention of the members of the General Assembly to this matter, so that justice may be done to all.

The Adjutant-General has issued, under Chapter 120, of Laws of the Twelfth General Assembly, providing for the adjustment of claims of members of the First Iowa Cavalry, five hundred and sixty-nine certificates amounting to twenty-seven thousand eight hundred and sixty-seven dollars and forty-two cents. The applications and evidence in these cases, together with the pay-rolls (except for eighty-eight dollars) of each company, have been furnished to the Commissioner of war claims of the State against the United States.

The duties of the Adjutant-General, aside from those as acting Quartermaster-General of the State, during the last two years, have been mostly confined to answering letters from officials, and from officers and privates of our late volunteer force. An examination of the correspondence in relation to enlistments, dates of musters, credits, absences, discharges, etc., will show at once the importance of a correct record in this department. Through the department of the Quartermaster-General of the United States, there has been furnished to this State, in common with the other States, about five thousand pages of printed matter, showing the graves of the Union dead in national cemeteries and elsewhere. Each State thus has an opportunity to transfer from that record the facts which give the place of burial, and location and number of grave, of each of its soldiers, so far as furnished. The data in the copies furnished to this State have nearly all been transferred to our rosters of regiments, and upon the receipt and entry of the numbers of these reports, soon to be issued, we shall be enabled to tell the exact

location of the remains of most of our dead. Still there will be many graves of brave men, which, in spite of all the efforts of kind friends and all the power and aid of the government, will remain marked "Unknown."

The Adjutant-General recommends the copying of certain documents and rosters in his department, and I would direct your attention to this matter.

There are still large amounts due to Iowa officers and soldiers who served in the Union Army. These amounts include claims for back pay, bounties, commutation of different kinds, and pensions, and there is a strong probability that Congress will pass some law for the relief of the soldiers of 1812. The Adjutant-General is cognizant of most of the facts in the more complicated cases of the first named class of claimants, still unsettled and still unattended to ; and it appears to me that it would be justice to our soldiers to require that officer to attend to all these claims of our late volunteers, and also to those of the soldiers of 1812. These last named veterans are few in number, and are worthy of all the aid and assistance that can be rendered by the State. This service should be rendered all these claimants, and all necessary blanks and instructions not furnished by the United States should be supplied from the Adjutant-General's office without charge.

WAR AND DEFENSE CLAIMS.

On the last day of the Fortieth Congress, an act was passed, appropriating \$229,848.23, or so much thereof as might be found necessary, to reimburse the State for expenses incurred and payments made during the rebellion, as examined, audited, and found due the State by Gen. Robert C. Buchanan, commissioner under act of July 25, 1866. In accordance with this act I received in July last from the general government, through the State Commissioner, a draft for the sum of \$229,827.39, the amount ascertained by the auditing officer of the federal government to be due the State. I have also received, through the same channel, a draft for \$18,117, on account of claims arising prior to the war, as before mentioned. For both these amounts I hold the Treasurer's receipt.

The aggregate amount of these claims originally was \$1,090,-754.78, of which \$867,661.63 have been allowed and received by the State; \$28,739.22 have been suspended and disallowed; and \$194,353.93 are in process of settlement. How large a proportion of the amount yet withheld, namely, \$223,093.15, will be recovered is extremely doubtful. But the commissioner thinks it not impossible to collect within ten per cent. of the gross amount of our whole claims. To do this will require payment by the general government of an additional sum of \$114,017.67.

GEOLOGICAL SURVEY.

The report of the State Geologist is received, and will be laid before you. The last General Assembly made no provision for the printing of this report, and no general law could be found which would authorize the publication of it. It will therefore be submitted in manuscript.

This report presents important facts connected with the geology of the State. Among the valuable results of this Survey, we have a strong probability that the extent of the coal area of the State will be found to be much larger than at present known, while we have also the northerly and easterly limits of these fields defined. The existence of vast quantities of peat has also been demonstrated. These facts, considered in connection with the thriftiness with which all sorts of native timber grow in our soil, give a highly favorable solution to the question of a supply of fuel—that vitally important one in all prairie lands. The report contains papers on various subjects connected with the objects of the Survey, as well as some valuable contributions on other scientific matters of interest and importance to our agricultural State.

It is proper to state that this Survey is not finished. I believe it advisable to make further appropriation for its completion. Its value to the State is of a permanent character, and ought not to be marred by incompleteness. In any event, I would urge, with the Geologist, that the unfinished work in the coal field be completed.

INSTITUTION FOR THE EDUCATION OF THE BLIND.

The report of the Principal of the Institution for the Education of the Blind exhibits the continued successful operation of this noble

beneficence. During the past two years, eighty-two pupils have been recipients of its privileges; and at the present time there are fifty-four in attendance, of ages varying from eight to fifty-six years. In accordance with the act of the last General Assembly, the building has been materially enlarged at an expense within the appropriation for that purpose. The Trustees, after investigation, determined not to use the appropriations made at the last session for new heating apparatus and slate roof except for some necessary repairs and for obtaining estimates, as there seemed to be no prospect of securing anything satisfactory for the amount of such appropriations. For these purposes, and for other improvements, and to meet a deficiency in current expenses, appropriations are asked; as also to afford increased facilities for imparting instruction. The amount required, according to the estimate of the Trustees, for the next two years, is \$26,731.13.

The expenditures during the two years amounted to \$29,308.82 for support, and \$44,280.78 for improvements; in addition there were bills matured but unaudited, at the date of the report, amounting to \$3,216.54, making the aggregate of expenses \$76,806.14. The Institution has received from the State Treasurer the sum of \$72,376.86, from sale of produce \$153, and from products of industrial department, \$951.82, amounting in all to \$73,481.68.

The question begins to press itself on our notice, how to care for this unfortunate class after they shall have completed their educational course at this Institution. Restricted in occupation much more than those who have lost the sense of hearing, even that narrow range is gradually contracting, owing to the competition of machinery and the multiplication of cheap labor. A continuation of these causes will eventually deprive the blind of even their present precarious means of subsistence. Those must be provided for who cannot care for themselves, and who have no friends able and willing to supply their wants. They may, it is true, receive the cold attentions of the county authorities, and be domiciled in poor-houses, but to such treatment of this class of the needy, there are grave objections of a humanitarian character, which will readily suggest themselves. I am therefore

constrained to urge upon the General Assembly that some provision be made for the employment, at the work-shops of the Institution, under proper restrictions, of those who have completed a course at the Asylum, and who may need a shelter, with a view to establishing eventually an industrial home for the blind. I particularly ask your attention to the remarks on this subject by the Superintendent.

INSTITUTION OF THE DEAF AND DUMB.

The reports of the Trustees and Superintendent of the Institution of the Deaf and Dumb show satisfactory progress and condition. The appropriations for the term were more than sufficient to meet all expenditures. The number of pupils receiving instruction during the past two years is one hundred and twelve, coming from forty-two counties, ninety being the number received the present term, and more than a dozen have been refused admission for want of room. The buildings used by the Institution have been overcrowded, the number of pupils being largely in excess of that reported during any previous term. The general health has nevertheless been good.

The leases, under which the buildings at present occupied by the Institution are held, will expire on the first day of October next, the time specified by law for the completion of the permanent building at Council Bluffs. I concur with the Superintendent in the belief that it will not be advisable to renew these leases for any time whatever, and that such steps should be taken, as may, in the opinion of the General Assembly, be necessary to hasten the completion of the new edifice. In anticipation of that event, it would be well to make provision for teaching trades to the pupils. Various occupations are open to deaf-mutes, in which they attain a proficiency little, if any, inferior to that acquired by persons blessed with full use of all the senses, and at which, of course, they readily obtain a livelihood. A table published in a recent report of an Eastern institution of this kind gives a list of occupations, numbering forty-four, that have been successfully followed by male deaf-mutes; and of eight, which female mutes have pursued. Of these occupations, some thirty were distinct mechanical trades.

The total receipts from all sources for the biennial period, including \$30,150.66 from this State and \$351.25 from the State of Nebraska, were \$34,706.58, and the total expenditures for same time, \$29,887.82, leaving a balance on hand, November 1st, 1869, of \$4,818.76.

On the tenth day of August, 1868, a contract was entered into, by the Commissioners in charge, for the erection of the proposed building at Council Bluffs for the sum of \$121,500. The total sum expended in the work up to Nov. 1st, last, was \$77,238.72—the balance of the appropriation of \$125,000 remaining undrawn. The building is of a substantial character, and its erection is superintended by a competent architect.

The location of the edifice on the ten acres added to the grounds, as required by the acts of the last General Assembly, necessitated much heavy grading, which has been done, a part of the grounds fenced, and some shade-trees set out. The expenditures for these objects exhausted the margin of the appropriation over and above the contract price for the building, and caused a small deficiency. To meet this, to pay the Superintendent's salary, and to improve the grounds and other work, the Commissioners ask an appropriation of \$12,000, which I recommend be made.

The General Assembly, at its last session, adopted a plan for this edifice, and directed the construction of the main building and one wing, but limited the cost to \$125,000,—much more than one-half the work to be done for much less than half the lowest estimate of the cost of the structure, according to the original plan, viz., \$300,000. It is not surprising, therefore, that the present contractor should anticipate a loss. Some changes and restrictions in the plan, combined with a serious accident to himself, increased the difficulties under which he labored. The granting of increased pay after the performance of work, when a fair contract has been made, is not in general to be commended. Its tendency is to prevent fair competition in public works, bidders being induced to calculate on a gratuity from the legislature to help them out in case of a ruinous contract. Yet, in view of the attending circumstances, of the good character of the work, and

of the fact that, with the amount now asked to make up the deficiency, the building will have cost \$42,528.10 less than the next lowest bidder offered to do it for, I am induced to ask the General Assembly to appropriate \$15,000, to be placed at the disposal of the Commissioners, to be paid, in their discretion, to the contractor, if it be found in equity due him, or to be otherwise used to complete the edifice. Since the last legislative session, one of the commissioners, Dr. E. Hunt, has been removed by death. I appointed Gen. Grenville M. Dodge to fill the position thus made vacant.

I would remind the General Assembly that, unlike the Trustees and Commissioners of other institutions, the Commissioners having charge of this undertaking receive no compensation whatever for their services. The distinction is the more observable from the fact that an unusually heavy bond, namely, \$100,000, is required of these officers—ten times as much as is demanded of officers who perform similar services, and receive *per diem* and expenses. I therefore suggest that these Commissioners be allowed a compensation in some manner adequate to their labor.

As is known, these institutions for the blind and the deaf and dumb are not for the cure or treatment of disease, but only for educational purposes; yet, in view of the want of any established charities, at which indigent persons threatened with loss of either sense may be treated, and of the injuries to which such individuals are peculiarly exposed by the maltreatment of charlatans, I would suggest, as a proper subject for legislative inquiry, whether some provision might not be judiciously made for the treatment of such needy ones in connection with the medical department of the State University.

HOSPITAL FOR THE INSANE.

As in the other institutions, so in the Hospital for the Insane, the health of the inmates has been remarkably good. The number of patients, however, has largely exceeded the proper capacity of the buildings, and during the past two years, for want of room, seventy-six applicants have been refused admission, and forty-five harmless but incurable patients have been removed or discharged

from the Hospital, which contained on the 1st of November last, three hundred and ninety-eight inmates. Persons needing treatment are now more promptly sent to the Hospital than formerly, and it is doubtless owing partially to this fact, that the recoveries exceed those of any previous term. One hundred and twenty acres have been added to the farm, and considerable improvements have been made in the buildings and equipments. The expenditures of the Hospital for the two years amounted to \$214,605.72; distributed as follows: \$187,734.27 for general support, \$8,500 for the purchase of lands, and \$16,371.45 for furniture, etc. To meet these expenses the Hospital received \$190,437.82, as follows: for general support—from the State treasury \$153,500, from private patients \$29,986.46, from articles sold, \$3,654.77, from balance at beginning of term, \$3,240.34 in all, \$190,381.57; for lands and improvements—from State, \$25,750. For the latter object, the amount of the appropriation was \$28,450. The estimated value of the supplies on hand is \$31,355.47.

I would invite your attention to the draft of a law concerning the insane, as recommended by the national convention of superintendents of insane hospitals, and appended to the report of this institution, and I would commend the observations of the Trustees thereon to your consideration.

ADDITIONAL INSTITUTION AT INDEPENDENCE.

The Commissioners for the “Additional Institution for the Insane,” at Independence, having decided, after mature deliberation, on a plan for the structure, awarded the contract for the erection of the portions now to be built, the price to be paid being \$88,114. The unfavorable character of the past season has materially retarded the work, yet the Commissioners hope to finish the building now under contract within the time allowed by law. The expenditures up to the first of December last were \$35,774.90. The entire amount appropriated by the Commissioners out of the sum allowed by the General Assembly for various objects connected with their work, including contract price of building, is \$100,296.89. The Commissioners ask an appropriation for the purpose of improvements and the building of a horse railroad to the track

of the Dubuque & Sioux City Railroad, which, the Superintendent estimates, will cost \$12,590.

Here, too, death has been at work, removing from the scene of his labors Mr. Albert Clarke, the resident Commissioner. His place was filled by the appointment of Hon. Geo. W. Bemis, of Independence.

AGRICULTURAL COLLEGE.

The report of the Agricultural College does not appear to be due till the first of February ; but by visits to the College, and from correspondence with the President, I have obtained information which enables me to present to you a brief statement of the condition of this institution and of its history during the last two years. I would suggest a change in the law, so as to require the report of the College to be made at the same time with the reports of the other institutions.

During the year 1868, the Trustees elected Hon. A. S. Welch to the presidency of the College. Mr. Welch had previously acquired a high reputation in connection with institutions of learning in other States, and his executive ability has been well demonstrated in his management of affairs here. The College was opened October 19th, 1868, and continued in session until January 7th, 1869. The president elect, three professors, and seventy-five pupils were in attendance. On the 17th day of March, 1869, the college building was dedicated, the officers inaugurated, and the first session regularly opened. One hundred and thirty young men and thirty young women were in attendance. The session continued with two hundred different pupils through two terms of sixteen weeks each, and closed for the winter October 28th, shortening the regular year one month, for the purpose of making additions to the heating apparatus, which was found insufficient. Two classes were formed—freshmen and preparatory. Two principal courses of study have been arranged—that of agriculture and that of mechanic arts—composed mainly of the sciences which underlie these professions. Besides these, four subordinate courses of study are proposed: a normal course, a commercial course, a course in civil engineering, and a ladies' course. The

progress of the pupils has been thus far in the highest degree satisfactory. The faculty is at present composed of a president, three professors, and three instructors.

The value of the landed endowment may be estimated at \$500,000, and that of the College building and furniture, professors' dwellings, the farm with all its improvements, the stock, cash on hand, &c., at \$250,000, making in all \$750,000. The income for the past year has been \$36,000.

The college will reopen on the 9th of March next, and while there are rooms for one hundred and sixty pupils only, I am advised that two hundred and seventy-five applications for places have already been made, and, if there were sufficient accommodation, more than three hundred pupils would be in attendance next year. Additional buildings for public rooms and dormitories are therefore imperatively needed for the full development of this institution. There is, moreover, a necessity for a laboratory and a workshop, for more professors' houses, and for further facilities for farm improvements. These enlargements and additions, without which the growth of the College will be checked, will call for an appropriation of not less than \$150,000.

The income of the College arises from lease of lands granted by Congress for the support and maintenance of a college of agriculture and the mechanic arts, all of which lands are now leased. It is ample to provide for the instruction of at least five hundred pupils, and can be legally used only for defraying the expenses of instruction and for the purchase of libraries and illustrative apparatus. By the express terms of the Congressional grant, no part of the principal or income can, upon any pretense whatever, be used for buildings or the repairs of buildings. Hence the necessity of further aid from the State.

I would recommend that the Boards of Trustees, both of this College and the University, be enlarged by the addition thereto, of the Lieutenant-Governor and the Superintendent of Public Instruction.

SOLDIERS' ORPHANS' HOMES.

First of the sisterhood of the States to recognize the justice and necessity of making suitable provision for the care and education

of the children of the soldiers of the late war, our State still contributes largely of its resources in aid of this branch of philanthropic effort. Three Homes are provided, at which twelve hundred and ten of these wards of the State have at various times found shelter, care, and education; seven hundred and seventy-three being the number in attendance on the first of November last. These children have here the benefit of a common school, combined with the advantages of a home.

Improvements have been made in the property at all the points. A new building has been erected, at a cost of \$25,000, at Cedar Falls, where forty acres of land had been given to the State; another building has been erected at Glenwood, where sixteen acres of land were deeded to the State, and accommodations have been provided for one hundred and twenty-five children; and a chapel has been built at Davenport. The total expenditures the past term amounted to \$244,177.06; and the receipts were: from the State, \$241,698.54; from donations, \$2,549.25; from former balances, \$1,307.35; in all, \$245,555.14. For improvements during the next two years, an allowance of \$21,200 is asked.

The Superintendents and other officers of these Homes are, it is believed, faithful and efficient in the discharge of their duties, laboring earnestly for the good of those intrusted to their charge, and duly sensible of the responsibilities of their positions. The children, too, seem to be properly cared for and comfortably kept.

In the visits I have made to these institutions during my term of office, I have become impressed with the belief that the cottage plan of providing for these children, such as prevails at the Davenport Home, is much preferable to what I might call, in contradistinction, the "hotel plan," under which great numbers of the children are congregated together in a single house. This institution, in order to realize the highest conception of its usefulness, should approximate as closely as possible in character to that of the home of a well-ordered family. I apprehend the correctness of this position will be admitted by all. In furtherance of this view, I would suggest the following measures :

First—A diminution of the number of the inmates of the Home, by securing suitable homes in good families for those who in the opinion of the officers of the institution could thus properly be cared for.

Second—A more precise definition by statute of the proper children to be received at the Home. The design of the law, although not very clearly expressed, is yet quite evident. The Home is intended for the children of deceased soldiers of the late war. In the interpretation of the law, however, a large latitude has obtained, some being received whose fathers are yet living, although their mothers are dead; and some, both of whose parents are yet alive. This liberal construction of the law is not to be wondered at, in view of the pleading urgency with which the claims of this class of applicants are often pressed. But the State has not as yet undertaken to provide for the children of the surviving soldiers of the late war, and indeed these brave men have not desired it. A strict interpretation of the law and the curtailment of the privileges of the institution, would, it is believed, have the effect to lessen materially the number in attendance.

Third—A discontinuance of the Home at Glenwood at an early day, and of that at Cedar Falls before the convening of the next General Assembly, and an increase of the number of cottages at Davenport, to provide not only for those coming from the other Homes, but also for diminishing the number to be accommodated at each cottage, as at present arranged. This number could, it is thought, be reduced with great advantage to the children, and at little additional expense to the State.

I would also recommend, in connection with the foregoing, that a sufficient amount of land be leased at the Davenport Home, to be cultivated by the boys, under proper direction, on which might be produced a large part of the cereals, fruit, and vegetables consumed in the institution; and I would include the erection of shops, at which various sorts of handicraft might be taught and carried on for the benefit and support of the Home. This labor,

while thus relieving the State of much of the expense of maintaining the Home, would be of greater benefit to the children themselves in training them to habits of industry and economy, and fitting them for the active duties of life.

This subject has caused me much thought, and I have felt it my duty to present these views for your consideration, in the full belief that unless some action be taken in the direction I have indicated, much of the patriotic liberality of our people will have been wasted, and possibly made productive more of injury than of good to these children of worthy sires.

PENITENTIARY OF THE STATE.

The extension and improvements at the Penitentiary provided for by the last General Assembly have been completed, and the building has now twice its former capacity, with cells for two hundred and sixty-six convicts; and the entire edifice is strong and well lighted and ventilated.

The hospital building, containing, in addition to the hospital, the chapel, dining-room, kitchen, and store-room, was destroyed by fire on the night of the 19th of May, 1868, involving also the loss of some \$9000 worth of stores. There being no provision made by law for such contingencies, the Treasurer of State, at the request of the Census Board, on the 13th of June, 1868, advanced the sum of \$5,519.63 to be used in replacing the building. This amount was sufficient to inclose and prepare the new house for use, but more is needed to complete it. To meet the loss incurred by the destruction of supplies, the Census Board, in June, 1868, appropriated \$4,000 out of the general contingent fund. This being found insufficient, the Census Board, on the 23d day of March last, requested the Treasurer to advance the further sum of \$4,000, which request was complied with. For the sums advanced by the Treasurer of State, amounting to \$9,519.63, that officer holds an indemnity bond, jointly executed by the individual members of the Census Board. The indispensableness of these buildings, so constantly needed in the every-day transactions at the Penitentiary, is so apparent that it is hoped the General Assembly will approve of the action of the Census Board and make an appropriation to indemnify the Treasurer.

The number of convicts in the Penitentiary on the first of November last was two hundred and twelve, all of whom were males. During the past two years, two hundred and thirty-nine have been received, and one hundred and eighty-four discharged; one has escaped, and two have died. The discipline of the prison is good. Punishment by the lash has given place to milder but more efficacious modes of treatment. One of the objects contemplated in the punishment of malefactors being their reformation and restoration to society, everything of a debasing or brutalizing character, in the care of convicts, should if possible be avoided. Experience having now demonstrated that the punishment of the lash can be abolished without injurious consequences to prison discipline, I recommend that the General Assembly prohibit by positive enactment the use of this degrading torture.

The Warden estimates the amount of appropriations required for the use of the prison, exclusive of the care of convicts, and including needed extension and improvements, at \$17,000.

The cell-room at the Penitentiary may be enlarged so as to accommodate three hundred and eighteen convicts. The number of prisoners on the first of November last, as we have seen, was two hundred and twelve. Two years before, it was one hundred and sixty. A proportionate increase in the future will, before many years, again exhaust the capacity of the prison. An enlargement of the buildings, owing to the peculiarities of the ground, would be extremely difficult and very expensive. Withal, the locality is such as to render it very onerous on the northern and western counties in the transportation of criminals. I therefore recommend that the General Assembly provide for the appointment of a commission to select, somewhere in the northern part of the State, a site for a new penitentiary. It should be located so as to be conveniently situated in regard to railroad facilities, near a good quarry of building stone, and where a sufficient supply of water could be readily obtained for the use of the prison. I would also recommend that the skilled labor of the Penitentiary be made available in the erection of the walls and building. It is believed that the surplus labor of the prison, which comprises all for whose employment no contract has been made, could thus be used to advantage in preparing the stone and laying the walls.

REFORM SCHOOL.

The last General Assembly, in obedience to an urgent demand from the people of all portions of the State, passed an act providing for the establishment of a Reform School to which juvenile convicts, and disorderly and incorrigible youth, should be sent for reformation and education. In accordance with that act, the Trustees leased the tract of land and property belonging to White's Manual Labor Institute, comprising 1,400 acres of land, situated in Lee county, partly improved, with some tenement houses, and the Institute building with walls up and roof on. A contract was entered into for the completion of the building, and the work was carried through with such expedition that in September, 1868, the School was ready to receive boys, the first of whom was admitted October 7, 1868. The number of boys thus far received is forty-five. The limited appropriation made at the last session would not permit the completion of buildings for the accommodation of girls, and thus far only one has been admitted. The number at present in the School is forty, viz.: thirty-nine boys and one girl. The appropriation having been exhausted in preparing the building for the reception of inmates, the Trustees, rather than have the School closed and the experiment abandoned, gave their individual notes to the amount of \$4,000, with which to raise money to carry on and support the institution till the General Assembly should make an appropriation.

In the observations of the Trustees, as to improvements on the present grounds, I heartily concur. There should be no further expenditure on buildings there, except for repairs, and I recommend that measures be adopted towards the selection of a new site for the School, centrally located and accessible by railway, and for the erection of suitable buildings at an early day. In connection with the institution, there should be at least one section of land, which the inmates of the School might cultivate; a shop also should be provided where mechanical avocations could be followed; and thus the institution be rendered, to a great extent, self-supporting. The State has a lease of the present grounds extending till 1878, with the privilege of relinquishing at any time. I would suggest that, as so much money has been expended on the buildings

ings there, the General Assembly take into consideration the propriety of renting the lands, retaining the buildings, and placing them under the charge of ladies, for the reception of such girls as may be committed to the Reform School.

The total expenditures of the School, including improvements on the grounds and building up to the 1st of November last, amounted to \$26,865.67. To meet this, \$19,000 was drawn from the State treasury, and \$3,173.80 from rents of farm, etc. The indebtedness of the School, including amount necessary to sustain it until the General Assembly shall have made an appropriation, is \$5,789. I recommend that this appropriation be made at an early day, as the institution is seriously embarrassed for want of funds.

I regret to say that this institution thus far has not met the expectations of its friends. Perhaps the most prominent source of this disappointment lies in its isolated location. At an inconvenient distance from railroad and telegraph stations, its expenses have been unduly large, and with insecure places of confinement escapes have been frequent. Imperfect as its success may have been, however, let us not be discouraged; but let us continue our efforts to improve and perfect a system based upon principles of benevolence and charity.

The reports of the Trustees and officers of the various institutions referred to by me, will be laid before you, and will, I have no doubt, receive the attentive consideration of the General Assembly.

I would ask of the General Assembly a thorough and minute examination of the institutions under the care of the State, that their condition may be thoroughly known and their wants ascertained, and such aid extended, as in the light of the knowledge thus obtained may be suggested by an enlightened liberality, which, while desirous of husbanding the resources of the State, is yet actuated by such a breadth of view as will maintain and elevate the character of these institutions.

STATE HISTORICAL SOCIETY.

The last General Assembly made a special appropriation to this society of six thousand dollars, in addition to the fixed amount of

one thousand dollars; and the Society has received from other sources, including former balance, \$325.20, making its total income \$7,325.20 Its expenditures were \$5,630.40.

The Society still continues its labors in ascertaining and perpetuating the early history of Iowa, a work of increasing urgency as our pioneers gradually pass away.

THE CAPITOL.

The report of the Census Board, acting as a Board of Commissioners, under the provisions of chapter 91, of the Acts of the last General Assembly, will be submitted to your honorable body at an early day, accompanied with the plans to which premiums were awarded. In my opinion, these plans should be examined by a competent architect, with authority to consolidate them with such other meritorious plans as have been or may hereafter be submitted, in such a manner that, while a symmetrical plan is elaborated, the maximum of convenience and accommodation may be attained. A suitable building for the meetings of its legislature, for the accommodation of its executive, administrative, and judicial departments, and for the preservation of its archives, is one of the most indispensable requirements of a government. The building in which you are assembled, I submit, possesses none of these characteristics of a suitable capitol. I need not remind you of the crowded condition of the halls in which you meet, of the almost total absence of committee-rooms, of the cramped apartments for the various State offices, nor of the want of security against fire. Besides, the edifice, in point of architectural appearance, is utterly unworthy of our vigorous and aspiring commonwealth. It is believed that no State in the Union, either East or West, has a capitol building so incommensurable and so cheap in appearance as has Iowa; and, indeed, many of the territories, and some counties even in our own State, have better buildings in which to transact their official business. I therefore recommend that steps be taken for the commencement of the erection of a new State House: an edifice, which, in magnitude of proportions, symmetry of design, and convenience of arrangement, shall be worthy of our State. An appropriation of \$150,000 is probably all that could be economically expended in 1870. The

amount necessary for the second year would be a subject for your consideration and determination.

EXTRAORDINARY CONTINGENCIES.

In view of the liability of the public buildings of the State to calamities like the one that occurred at the Penitentiary, heretofore mentioned, and in order to avoid embarrassment similar to that which followed the fire at Fort Madison, I recommend that provision be made by law to meet such emergencies. Twice within a few years has fire destroyed buildings at the Penitentiary, and each time the executive has been compelled to resort to temporary measures of absolute necessity, but, in the opinion of the department itself, of questionable legality. To call the General Assembly together and ask for an appropriation, would be a strictly legal method of procedure; so would a reference of the whole matter to the General Assembly at its next session, to the neglect and peril of the best interests of the State. The expensiveness of the former expedient, and the delay in the latter, render both impolitic. Nevertheless, the financial officers of the State, of course, do not feel warranted in drawing money from its treasury in violation of the law, even when, by so doing, they are satisfied they would be conserving the public interest. A permanent law, properly guarded, to provide for extraordinary contingencies, I consider a necessity of our financial policy.

COUNTIES AND CITIES.

The creation, last session, of the office of County Auditor accomplished a long desired object in relieving the clerk of the courts from all duties as a financial officer of the county, and has received, so far as my knowledge extends, universal approbation. To complete the change thus inaugurated, it remains now to supplement this law with an act placing the control of the courthouse, and the supervision of the census, (if indeed the present ineffective mode of taking the census is to be perpetuated,) in the hands of the county auditor. That officer should also be required to furnish the Secretary of State with the names of all county officers, immediately on their qualification, a duty heretofore

required of the county judge. He should also be empowered to appoint a deputy, the same as other county officers. Perhaps some other matters might properly be intrusted to his charge, but your experience will suggest to you such further legislation as may be necessary.

I call your attention to the law of 1853, providing for the organization of new counties, which law should, I think, be materially modified. Under its provisions counties were organized ten years ago, that have less than a hundred inhabitants to-day. To give into the hands of the first few who may wander into a new county the power of levying and collecting taxes, issuing county warrants, fabricating bonds, and disposing of swamp and even school lands, is of more than questionable wisdom. It has an inevitable tendency to attract to these counties unprincipled adventurers by prospects of plunder, and thereby to deter legitimate immigration. I am informed that attempts have been made to organize Lyon county, but that they have been defeated by the protests of the settlers in that county. I would suggest that provision be made by law against the organization of any of the new counties until they shall have attained a certain minimum of population; and that the proceedings towards such organization be had in the district court after due notice of the same. On the other hand, it may be necessary to enact proper laws for assessing the property in these counties, and for the collection of taxes levied therein.

I have made an effort, through a circular issued from this office, to obtain a statement of the indebtedness of the several political corporations of the State, in order to lay the aggregate amount before the General Assembly. In this effort I have been only partially successful. Some of the counties, and a few of the cities and towns, have failed to notice the circular asking for the information. Nevertheless, the returns I have received are such as to enable us to obtain a measurably satisfactory view of this class of public obligations. Seventy-eight counties, all that have been heard from, report a bonded indebtedness, not disputed, including arrears of interest, amounting to \$942,672.53; a bonded indebtedness, in dispute, including interest, of \$1,646,180; and a floating

debt of \$752,763.47: in all \$3,341,616. Seventy-five cities and towns report a bonded debt, undisputed, of \$1,768,308.95; a bonded debt, in dispute, of \$696,966.66; and a floating debt of \$125,135.42: in all, \$2,590,411.03. The aggregate of both is \$5,932,027.03.

During the last few months I have received information that pretended bonds of the unorganized county of Lyon have been repeatedly offered for sale in the city of New York. I have also heard indirectly of other similar cases of fraud. I suggest to the General Assembly the propriety of clothing the Governor with authority to employ counsel to aid in bringing to justice the parties engaged, outside of the State, in this and similar crimes, which are not only of injury to the victims of the fraud, but highly detrimental to the financial reputation of county and State.

REGISTRY LAW.

The law for the registration of voters having now been operative at two general elections, an opinion may be better formed of its utility. You, gentlemen, just chosen by the people under that law, are fully aware of its benefits and defects. In my judgment it might be amended with advantage by providing that the assessor's return of voters should be the basis of the registry list, and that the poll-books of the preceding year be not used for that purpose.

IMMIGRATION.

Without any bureau of immigration, or any provision whatever for diffusing information relative to the climate, soil, agricultural and mineral resources, and extent of unoccupied lands in our State, we receive, nevertheless, a large part of the very best of the immigration that is crowding from our Eastern States and from the old world to seek homes in the growing West. In reply to a request from the Citizens' Association of New York, I addressed, on the 23d of November, 1868, a letter to that association through its president, Mr. Peter Cooper, presenting an amount of statistical and other information such as I thought would be of value to

persons contemplating a change of home. This letter, I had the satisfaction to learn subsequently, was reprinted and scattered widely over the Eastern States and foreign countries of kindred tongue, while translations were freely distributed in the countries of continental Europe. In addition, I caused a large number of copies of the letter to be printed and sent to various parts of the country. I have gratifying assurances that this effort has been and will be attended with the happiest results. Nevertheless, with the limited means placed at the disposal of the executive, not a great deal can be done toward inducing immigration hitherward. Many of our neighboring States have systematized plans of operation for the purpose of attracting immigration, and their efforts appear to be successful. I am not prepared, however, to recommend any elaborate organization in this respect. An appropriation of \$5,000 could be judiciously expended in printing documents relating to our lands, and the population, resources, and products of the State, and in the circulation of the same. I submit, however, the subject to your careful consideration. Some of our railroad corporations, and wealthy individuals connected therewith, have informed me that they are perfecting a plan for the sale of their lands and aiding emigrants to settle upon our unoccupied acres of unsurpassed fertility.

RAILROADS.

Within the last few years, all our railroad enterprises have become imbued with new vigor, and have pushed their lines forward with rapidity, until now three trunk lines of railroad cross the State from the Mississippi to the Missouri.

The Cedar Rapids and Missouri River railroad was completed to Council Bluffs in 1869, prior to the last meeting of the General Assembly, and was, therefore, the first to cross the State.

The Chicago, Rock Island, and Pacific Railroad Company, to which was transferred at the last session of the legislature the grant originally made to the Mississippi and Missouri Railroad Company, at once put on the line of the road an immense force, and carried the work forward with such expedition that on the sixth day of June, 1869, in a little over one half the time allowed the company, the railroad was completed and running into

the city of Council Bluffs, and on the 31st of December, I issued a certificate of the completion of the road.

The Burlington and Missouri River Railroad Company, the only one of the original grantees now in existence, has exhibited similar activity. On the 6th day of February, 1868, I issued a certificate announcing the completion of ninety-five miles of this road, as follows: a section of thirteen miles from Batavia, in Jefferson county to Ottumwa, in Wapello county, completed on the fifteenth of August, 1859; one of twenty-six miles to Albia, in Monroe county, on the first of November, 1866; one of twenty-one miles to a point in Lucas county, about nine miles east of Chariton, on the fifteenth of April, 1867; one of nine miles to Chariton, on the first of July, 1867; one of sixteen miles to Woodburn Station, in Clarke county, on the twenty-third of December, 1867; and one of ten miles to Osceola, on the 29th of January, 1868. Since that time work has continued until a short time since, when the road was completed through to the Missouri river.

The last General Assembly resumed the grant held by the Dubuque and Sioux City Railroad Company, and subsequently regranted it to the Iowa Falls and Sioux City Railroad Company, (except forty thousand acres reserved for the building of a road from Dubuque to Bellevue and Sabula,) on certain conditions as to line of road, progress and completion of the work, and subjection to such rules, regulations, and rates of tariff as might be enacted by the General Assembly. The grant was not accepted within the period prescribed by the act, (thirty days,) and nothing was done toward the prosecution of the work during the remainder of that year. Early in the year 1869, the company made application to the Census Board for a renewal of the grant. That Board, after full examination of the papers accompanying such application, and finding that the company gave satisfactory assurances of a determination to comply with the requirements of the act, resolved to confer the grant on such company, in accordance with the provisions of section 7, chapter 124, Acts of Twelfth General Assembly. As a result of this action, the road was finished to Fort Dodge in July last, and is now in running order, both westward from that town and

eastward from Sioux City, lacking only about fifty miles of full completion ; and we have assurances that before next July this gap will be filled, and another railroad completed between the Mississippi and Missouri rivers.

At the last session of the General Assembly, the State resumed the grant made to the McGregor Western Railway Company, to aid in building a railroad on or near the forty-third parallel, from McGregor to the west line of O'Brien county, and regranted it to the McGregor and Sioux City Railway Company, on conditions similar in character to those imposed on the Iowa Falls and Sioux City Railroad Company with the additional stipulation that such company should obtain from the McGregor Western Railway Company a complete release of all its claims to any of the lands originally granted to the latter. Sixty days' time was allowed for the acceptance of this proposition. Before the expiration of that period, an instrument, purporting to be an acceptance of the grant and its terms, was filed in the office of the Secretary of State. Vigorous work was at once commenced on the construction of the road, and within the time limited it was finished to Chickasaw ; and now the cars are running to Clear Lake, Cerro Gordo county, anticipating by almost two years the requirements of the law. Furthermore, I am advised that the road is under contract as far as Algona, in Kossuth county, and will be built to that point by July 1, 1870 ; and I have assurances that the road will be finished during the present year. It is hoped that when this company shall have completed its road, it will find it to its interest to extend its line across the Big Sioux to the Missouri river.

In accordance with the requirements of chap. 57, acts of last session, resuming the lands granted by act of Congress to the State for the construction of a railroad up and along the valley of the Des Moines river, the Des Moines Valley Railroad Company deposited with the Treasurer of State the sum necessary to settle certain claims arising out of the Des Moines river improvement. Consequently, in compliance with law, I have patented to the company 362,997.68 acres of the lands granted for this improvement.

The extension of the line of this road has been urged forward

with vigor, and it is now in running order to a point some twenty-five miles north of the Cedar Rapids and Missouri road, and about seventy-five from the terminus of the road at the time of the session of the last General Assembly. The act of that session required only the grading of sixty-five miles; the company have, as we have seen, not merely graded, but built this amount of road and ten miles more. The company, however, has failed to file an acceptance of the act above mentioned, as required by section three thereof.

The Council Bluffs and St. Joseph, and the Sioux City and Pacific railroads have also been completed within the past two years. The Burlington, Cedar Rapids & Minnesota railroad has been built from the first-named city to a point within a short distance of the Oskaloosa branch of the Chicago, Rock Island and Pacific railroad; and has also been built from Cedar Rapids to Vinton. The McGregor Western Railway Company has built a branch to Decorah; the Cedar Falls and Minnesota road has been completed to the State line, there connecting with lines of road running to St. Paul; the Iowa Central has been completed from Eldora to Marshalltown; the North Missouri road has been built into the State in Appanoose county; the St. Louis and Cedar Rapids is progressing in the direction of Ottumwa; and the Chicago, Burlington and Quincy Company has built a road from Burlington to Fort Madison, making connection there by rail with Keokuk. Besides, a railroad has just been completed to Burlington from Carthage, Illinois. Numerous projected lines attract much attention, and a few have made some degree of progress.

The completion of the Pacific Railroad has undoubtedly hastened this rapid development of our railroad enterprises. That event, justly esteemed one of the most memorable of the age, worthy to be ranked with the laying of the Atlantic cables, and the construction of the Suez Canal just finished, would, it was thought, contribute largely toward changing the commerce of the orient, and directing it eastward across the American continent; while the opening up of the States and territories to the westward would also contribute to the traffic to follow this channel. A determination to compete for this trade has sensibly accelerated railroad

progress in Iowa the past year; and this has not been confined to east and west lines, but those running or projected in northerly and southerly directions have felt more or less of its influence. Hence the last two years have witnessed the construction of more miles of railroad in Iowa than any two previous years of our State's history. During that time there have been 866 miles of railroad built, making an aggregate of about 2,094 now in operation in the State:

The last General Assembly reserved to the State the right to enact laws regulating rates of tariff on the roads on which it bestowed land grants. It was thought best, at the time, to take advantage of the opportunity offered to place beyond cavil the authority of the General Assembly in this matter. The owners of these roads are possessed of the power of taking private property for the uses of their projects. The roads, also, are endowed with enormous land-grants, amounting, with those of the other roads, as has been seen, to between four and five millions of acres, or about one-eighth of the entire area of the State. Recipients of such bounties, they have no right to complain if the State reserves to itself the ultimate power to prevent extortion, should such ever be resorted to.

The entire question of regulating, by legislation, the tariff of rates on railroads, has been widely discussed, and is one of great importance. Of the benefit to be derived from such an attempt at regulation, there is, in my judgment, grave question. In order, however, that the subject might be considered with the light which statistics would throw on it, I have endeavored to collect such statistics from the various railroad companies, and have obtained from ten of them answers to my inquiries more or less complete. From these reports I learn that on these lines the sum of \$52,476,481.29 represents the cost of construction of 1360 miles of road, or \$38,585.86 per mile. Eight of these roads report their gross earnings at \$6,776,-480.13; and their operating expenses including taxes, \$5,262,383.59; leaving a net income of \$1,817,179.72, or 4.16 per cent. on reported cost of construction, and 5.69 per cent. estimating cost at \$30,000 per mile.

But whatever views may be entertained in relation to the

expediency of enacting rates of tariff for railroads, there can be none, I think, as to the policy of endeavoring to defeat any demands of these corporations for exorbitant rates by encouraging and inviting capital to build competing lines to cross our great thoroughfares in northerly and southerly directions, and in opening up our communications by water with the markets of the world, by the routes of the Mississippi, Missouri, Illinois, Rock, and Wisconsin and Fox rivers.

WATER COMMUNICATION.

The improvements in the Mississippi river are being pushed forward as rapidly as the means allowed by Congress will permit. Recently the sum of two hundred thousand dollars was voted with which to continue the work on the lower, or Des Moines River Rapids. These are both of vast importance to the eastern counties particularly, and measurably to all the State, in affording unimpeded water communication eight months in the year to the Gulf of Mexico.

WISCONSIN AND FOX RIVER IMPROVEMENTS.

I have given this subject, during the past five years, much thought and some personal examination. It is receiving consideration in many parts of the country, and especially in the northwestern states. Cheap transportation is the one question which is vital to these States, and to none more so than to Iowa. It is of little consequence whether her products be moved by rail or water, but of the greatest consequence that they be moved at rates whereby the market price will give back the cost of production and a living profit to the farmer. If railways can carry heavy freights as cheaply as water-ways, it is certain that they will not unless compelled thereto by water competition. The improvement of water channels will reduce the charges on every ton of heavy freight, whether moved by water or by rail. Our State has raised during the past year, nearly fifteen millions of bushels of wheat for export. With the freight charges on this quantity reduced, in the cost of transshipment and movement, only ten cents a bushel, the total saving will amount to \$1,500,000. But Iowa exports large quantities of other grains and other products, and imports great amounts of lumber, merchandise, etc., so that this large sum would not be one half the yearly saving to Iowa alone. The

States of Wisconsin, Illinois, and Minnesota, and those lying further west, will be benefited, but perhaps in a less degree. With wheat selling in the State of Iowa at an average price of fifty cents per bushel, and on Lake Michigan at seventy cents per bushel, our representatives in Congress should not long hesitate in assuming for their constituents their part of the necessary debt in order to open an ample water-way between the Mississippi and the Lakes. The full results no one can foresee. It would unite the commerce of the lakes, with its two thousand vessels, to the commerce of the Mississippi and its tributaries, with their more than two thousand vessels; and the commerce so united, measured by tons or by values, would be greater than the existing foreign commerce of the country. The highest estimated cost of this improvement, made by Gen. G. K. Warren, government engineer, is about four millions of dollars.

I deem this question so vitally important to the agricultural interests of our State, that I may (if time will permit) submit at more length my views upon the subject.

MANUFACTURES.

Another mode of avoiding high rates of transportation, and thus increasing the wealth of the State, is the building up among ourselves of all kinds of manufactures. The outlay for farm machinery and manufactured articles necessary to our people, brought from abroad, amounts to millions of dollars annually. This large importation is in direct violation of the most obvious principles of domestic economy. We are compelled to transport bread to Eastern producers that they may live while working up our raw material, thus needlessly sending our products thousands of miles in order to obtain the manufactured article.

Either cheap fuel or ample water power is to be found in nearly every part of the State; and iron abounds in both Missouri and the region of Lake Superior. Iowa will not see the great era of her prosperity until she becomes self-supporting, not only by raising a bounteous supply of breadstuffs, but by erecting manufactories upon her streams and coal-fields to consume the immense surplus of her rich soil, and thus diversify industry, build up

towns, add to the value of our lands, lessen the cost of exchanges, and bring the producer and consumer nearer together.

I submit for your consideration the propriety of a law exempting from taxation for a term of years at least a portion of the investment in certain classes of manufactures.

AGRICULTURE.

The last General Assembly passed a law for encouraging the growth of forest and fruit trees, and hedges. The wisdom of this action requires no justification. I recommend that you follow it up by making provision for obtaining and distributing pure forest tree seed. It could be done through the office of the Secretary of the State Agricultural Society, or some other existing channel. Many of our farmers are located or situated so as to render it difficult for them to obtain trees from nurseries, and are thus deterred from making improvements in this direction. The provision proposed would exactly meet the wants of this class, and be of benefit to all.

During the year 1868, the alarming prevalence of the disease known as the Spanish or Texan fever among the cattle driven to market in States to the eastward of us, induced the cattle commissioners of the State of New York to issue a call for a convention to consider the subject. To this convention, which met at Springfield, Illinois, December 1, 2, and 3, 1868, I appointed Prof. Norton S. Townshend, of the Agricultural College, a commissioner on the part of this State. At this convention, an outline of a bill to be recommended to the several States was agreed upon. The report of the commissioner will be laid before you.

TAXATION AND REVENUE.

The aggregate valuation of the State in 1869 was \$294,532,252; an increase since 1867 of \$38,015,068, or 14.82 per cent. It is unnecessary that I should remind you that this sum, without doubt, represents less than one half the actual value of all the property in the State. Some remedy for this practice of undervaluation is desirable. I would suggest, as a step in that direction, that the State

and county boards of equalization be empowered to adjust valuations, as well as to equalize them.

I especially commend to your attention the observations and suggestions of the Auditor of State in reference to double assessments, and the present cumbersome mode of keeping tax-books. The recommendation of that officer suggests a plan which seems to afford a remedy for an evil of great magnitude.

Among the prominent topics for consideration, at the present session, will be that of the proper mode of taxing the property of railroads. The law now in operation on this subject was originally enacted, doubtless, with the two fold object of obtaining a simpler basis for taxation, and of encouraging the then struggling railroad enterprises. I submit to the judgment of the General Assembly whether some modification of the law might not now be made, with the view of obtaining from these roads a more nearly equitable proportion of the public burdens, and yet so adjusted as not to cripple any of these enterprises. I respectfully invite your attention to the observations and recommendations of the Treasurer of State on this subject.

SWAMP LANDS.

I recommend that the most stringent provisions be made by law in regard to the disposal of the swamp lands of the several counties. The sales of these lands should be widely advertised beforehand, not only in the particular locality of the lands, but also in some of the leading cities of the State, that full opportunity may be given to all desiring to become purchasers, and that the lands may yield the largest income obtainable. I fear that a different policy in the past has lost to the counties multiplied thousands of dollars, and that the grant, from this cause, has failed, to a great degree, to be of any benefit to either State or county.

SCHOOL-FUND AND SCHOOL-LANDS.

The permanent school-fund, according to the books of the Auditor of State, amounts to \$2,932,626.04, having been increased during the last two years, by sales and re-sales of school-land, \$441,212.57. The interest, apportioned during the same time, amounted to \$406,007.14. The State is required to keep good the principal of this

fund, and in case of loss, to make it up from the State treasury. This requirement is an act of justice to the general government, the donor of the lands from the proceeds of the sales of which this fund is derived, and to the youth of the State, for whose education the gift was made. Fully to comply with such requirement, without loss to the State, demands that the fund be placed under the supervision of officers of the State, who are directly responsible to the State, and of whom an account of the condition of the fund may be ascertained whenever demanded. At present there is a large deficiency in the permanent school-fund, which deficiency will not become any smaller except at the expense of the State treasury. I am satisfied that no business man among the members of the General Assembly would allow his own affairs to be conducted in the manner in which this fund has been managed.

I am constrained, therefore, to renew the suggestion I made in a special message at the last session, and also the recommendations of my last four predecessors, that this fund be called into the State treasury. I believe it could with profit be invested in registered bonds of the United States, or those of this State, or in public improvements. I would commend to your consideration the very judicious remarks on this subject in the reports of the financial officers of the State.

During the last fiscal term of two years, 72,990 acres of school-lands were patented. According to an estimate carefully made by the Register of the State Land Office, the average price obtained for these lands was about \$2.31 per acre. How much land was sold during the same term, or the price obtained per acre, I am unable to state, the law of 1864, requiring reports of such sales to be made semi-annually to the Register, receiving almost no attention from the proper county officers. Among the lands patented, however, were some situated in old and well settled counties, that were sold for one dollar and a quarter per acre in cash.

During the last two years the Census Board, having in charge the lands obtained from the sureties of James D. Eads, former Superintendent of Public Instruction, has sold thirteen hundred and forty-eight acres of the same, situated in the counties of Clarke, Decatur,

Marshall, Story, and Warren, at the average rate of nine dollars and twenty cents per acre.

During the year 1868, the State of Minnesota sold seventy-six thousand acres of school-lands at an average price of a little over six dollars per acre. Both Minnesota and Nebraska have fixed the minimum price of their school-lands at five dollars per acre, the latter, by constitutional provision. Iowa, whose lands, because of their greater accessibility, and their average better quality, ought to be worth much more than those of the States mentioned, fixes her minimum at one dollar and a quarter per acre.

A short time since, hearing that some of the school-lands were being hurried into market, as I deemed with unseemly haste, and at an improper season, I caused the Attorney-General to take the necessary steps to stop the sale. That officer at once applied for and obtained injunctions, and had the satisfaction of saving all the lands in one or two counties, and nearly all of those in another county.

To permit the munificence of the federal government to be longer frittered away, to continue to allow the interests of the living and the unborn children of Iowa to be trifled with, thus to fail to discharge the duty which the Constitution imposes on the State, as custodian of this sacred fund, would, in my judgment, be a just cause of reproach to all of us.

I recommend the immediate withdrawal of all the unsold school-lands from market for the present; and that when they are again offered for sale it be done by the Register of the State Land Office, at public sale, at the minimum price of six dollars per acre, and to be disposed of only to actual settlers.

THE COURTS.

The Circuit Court system established at the last session of the General Assembly is of too recent origin to have afforded sufficient opportunity to decide on its utility and advantage; and it would seem advisable to permit it to remain without material change at least until the next General Assembly, which body will be enabled to pass upon its merits and defects with the benefit of a more extended experience of its operations.

Before the convening of the next General Assembly, the terms of all save one of the District Judges will have expired. I call your attention to the opportunity which will thus be afforded to increase the compensation of these officers. No worse economy can, in my estimation, be practiced than the payment of insufficient salaries to judicial officers. For the performance of the duties incumbent on them, a high order of legal culture, a suitable practical experience at the bar, and a ripe judgment are required. We have no right to expect that persons thus qualified will retain or take seats on the bench at salaries smaller than the incomes of many practicing attorneys far inferior to them in ability and acquirements. I must earnestly recommend that you will revise the whole matter of the compensation of judges of all our courts, and so adjust it as, in your judgment, to enable the State to retain and command the services of the best men in her tribunals of justice. And, in connection with this subject, I cannot forbear to remind you of the meagerness of the compensation of our District Attorneys. By the law of 1862, which effected a general reduction of salaries, those of District Attorneys were fixed at \$600. Since that time nearly all the salaries then redeeed have been increased; this office has been one of the exceptions.

THE CRIMINAL CODE.

I invite your attention to an examination of the Criminal Code of the State. I am led to this suggestion by the fact of our current history, that, although less frequently occurring perhaps than in former years, the summary process known as "lynching" is yet too often resorted to for the purpose of rudely effectuating what are supposed to be the ends of justice. I am of the opinion that riotous proceedings of this character are usually prompted by despair of justice being done through the ordinary operation of the law. That this feeling is ill-founded is very probable. Nevertheless, its existence should arrest the attention of the legislature, and lead to the inquiry whether there is any just cause for complaint at the laxity of our laws for the punishment of crime, and whether the criminal code itself, in a laudable anxiety to shield the innocent, has not been made to afford a convenient panoply to wealthy and crafty guilt.

CODIFICATION OF THE LAWS.

I respectfully call your attention to the condition of our laws. They are spread on our statute-books for several years, reaching as far back as 1851, and some of them even referring to antecedent enactments. Every man is supposed to "know the law," and ignorance of it excuses no man. Should it not, then, be the aim of the legislature so to simplify the statute-book, and condense its bulk, that the law may be the more easily ascertained by the citizen? I would recommend that provision be made for the selection of commissioners to revise and codify the laws of the State; these commissioners to be required to report progress to some authority at intervals, and to complete the work in time for the next General Assembly.

CONSTITUTIONAL CONVENTION.

The constitution, wisely providing that the sense of the people should be occasionally ascertained as to the necessity for revising or amending that instrument, requires that at the general election of the present year the question "Shall there be a convention to revise the constitution, and amend the same?" shall be submitted to the popular vote. It will be incumbent on the General Assembly to provide for canvassing such vote, and ascertaining the result.

CONSTITUTIONAL AMENDMENT.

As provided by law of the last session of the General Assembly, the question was submitted to the people, of amending the Constitution of the State in section one of article two, sections thirty-three, thirty-four, and thirty-five of article three, and section one of article six, by striking the word "white" therefrom. These amendments aimed to relieve the colored race from certain disabilities under which they had hitherto labored in this State. At the election, which occurred on the third day of November, 1868, there were cast, for the amendment to Article two (that in relation to the right of suffrage) one hundred and five thousand three hundred and eighty-four votes; against the amendment, eighty-one thousand one hundred and nineteen; majority in favor of the amendment, twenty-four thousand two

hundred and sixty-five. The other four amendments were adopted by majorities slightly larger. Thus was finally accomplished an act of justice already too long delayed, the denial of which, on a former occasion, had cast a stigma on a State which may truthfully boast that the foot of a slave has never pressed her soil.

AMENDMENT TO THE CONSTITUTION OF THE UNITED STATES.

It is proposed now to incorporate the spirit and substance of this amendment in the federal constitution, and thus make it the supreme law of the whole land. The Senate and House of Representatives of the United States have accordingly adopted a joint resolution proposing an amendment to that Constitution, in effect, conferring suffrage on every male citizen. A copy of this resolution I have the honor to lay before you. I need not urge upon your honorable body its speedy ratification. This amendment yet requires the approval of some six States, in order to its adoption. That this number will be shortly obtained there is little question. The contest of generations, which culminated in the recent civil war, begun in the interest of slavery, will then have reached a termination glorious beyond the most sanguine hope, in the final eradication of the last vestige of human bondage from the polity of the republic.

UNITED STATES SENATOR.

On the 27th day of August last, I received the resignation of Hon. James W. Grimes, as Senator of the United States from the State of Iowa, to take effect on the first Monday in December; on which day accordingly closed the long public services of an eminent statesman, whose ability and influence gave him not only a State but a national reputation. It will, therefore, become your duty to elect a Senator to fill the place thus made vacant.

CONCLUSION.

In conclusion, gentlemen, permit me to congratulate you upon the auspicious circumstances under which you are now assembled. With the State virtually out of debt, its population rapidly increasing, its wealth of resources yielding abundant returns to all kinds of industry, its laws in general judicious and faithfully administered, its

schools and colleges furnishing means of education to all, its public institutions well established and conferring blessings on the objects of their care, its empire of territory traversed by rapidly increasing lines of railroad, its people peaceful and progressive, yourselves enjoying the generous and abounding confidence of that people, you enter upon your work of legislation. That this work may be abundantly blessed of Him who has heretofore been so bounteous in goodness toward our State and nation, I invoke the prayers of the good people of this commonwealth.

It will be my pleasure, as it is my duty, to co-operate with you in all measures to promote the public welfare, to increase the happiness of the people, and to enable them to continue and enlarge those works of humanity, charity, and benevolence which have thus far distinguished our State.

I would do injustice to my own feelings were I to close this message without expressing my gratitude to our State officers, and all connected with the State government, for the ability, integrity, and zeal they have displayed in behalf of the public interests, and for the kindness, courtesy, and generous confidence they have given me in the discharge of my official duties.

SAMUEL MERRILL.